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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/662,044	09/11/2003	Subhra Chakrabarti	P 0305447 078200

CONFIRMATION NO. 8318

Pillsbury Winthrop LLP
 Intellectual Property Group
 Suite 200
 11682 E1 Camino Real.
 San Diego, CA 92130-2092

FORMALITIES LETTER



OC000000011606228

Date Mailed: 01/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$958** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1408** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

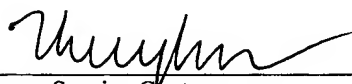
08/06/2004 FFANAI2 00000100 502212 10662044
 02 FC:2001 385.00 DA
 03 FC:2201 129.00 DA
 04 FC:2202 684.00 DA
 05 FC:2203 145.00 DA
 06 FC:2051 65.00 DA

- Total additional claim fee(s) for this application is **\$958**

- **\$129** for 3 independent claims over 3.
- **\$684** for 76 total claims over 20.
- **\$145** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence along with any paper referred to as being attached is being Mailed to Addressee by service of the United States Postal Service addressed to Commissioner for Patents, P.O. Box, 1450, Alexandria, VA 22313-1450

By: Sachiko Y. Snedden
Sachiko Y. Snedden

Date: August 2, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT
APPLICATION

COMPLETION Under
Rule 53(f)

In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): Chakrabarti et al.

Appln. No.: <u>10</u>	<u>662,044</u>	Atty.Dkt. <u>078200-0305447</u>
Series Code <u>1</u>	Serial No. <u>1</u>	C-M <u> </u> Client Ref <u> </u>

Filed: September 11, 2003

Title: ANTIBODIES THAT RECOGNIZE HYPERPROLIFERATIVE CELLS AND METHODS OF MAKING AND USING SAME

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: August 2, 2004

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. Notice to File Missing Parts ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

08/06/2004 FFANAI2 00000100 502212 10662044

01 FC:2255 1005.00 DA

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:

a. ☐ Abstract

b. # pages of Specification(only spec. & claims)

c. ☐ Drawing(s)

No of Sheets

☐ Fig(s).

4. ☐ Letter filing formal drawing attached.

5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/410,366	September 11, 2002	(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(f)

8. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____

9. Small Entity Status ➤ ☐ is Not claimed ☒ is claimed (file PAT-256 if this is the first claim of Small Entity Status)

10. ☒ Attached: Indication of Ten Patent Practitioners for Power Of Attorney; Postcard Receipt

11. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

				Large/Small Entity		Fee Code
12. Basic Filing Fee Design Application				\$340/\$170		1002/2002
. Not Design Application				\$770/\$385	+385	1001/2001
13. Total Effective Claims	96	minus 20 =	76	x \$18/\$9	+684	1202/2202
14. Independent Claims	6	minus 3 =	3	x \$86/\$43	+129	1201/2201
15. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line <u>blank</u> if this is a <u>reissue</u> application)				\$290/\$145	+145	1203/2203
16. Surcharge for filing Declaration/filing fee late				\$130/\$65	+65	1051/2051
17. FILING FEE =				\$1,408		
18. Original due date: March 2, 2004						
19. Petition is hereby made to extend the <u>original</u> due date to				(1 mo)	\$110/\$55 =	+0
cover the date this response is filed for which the requisite fee				(2mos)	\$420/\$210 =	
is attached				(3mos)	\$950/\$475 =	
				(4mos)	\$1,480/\$740 =	
				(5mos)	\$2,010/\$1,005 =	1,005
20. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+0	1053
21. If "assignment" box 5 is X'd, add recording fee.				\$40	+0	8021
22. Petition Fee for				\$130	+0	1808
23. TOTAL FEE =				\$2,413		

**PLEASE CHARGE
OUR DEP. ACCT.**

Our Deposit Account No. 50-2212

Our Order No. 078200

0305447

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

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Tel: (619) 234-5000
Atty/Sec: RMB/sys

By Atty: Robert M. Bedgood, Ph.D.

Reg. No. 43,488

Sig: 

Fax: (858) 509-4010
Tel: (858) 509-4065

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments